## IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF TEXAS DALLAS DIVISION

TOWN NORTH BANK, N.A.,	§	
	§	
Plaintiff	§	
	§	
v.	§	
	§	
SHAY FINANCIAL SERVICES, INC.,	§	
UBS FINANCIAL SERVICES INC.,	§	Civil Action No. 3:11-cv-03125-L
MORGAN STANLEY & CO. LLC,	§	
MERRILL LYNCH & CO., INC.,	§	<b>District Court Judge</b>
MERRILL LYNCH, PIERCE,	§	Sam A. Lindsay
FENNER & SMITH	§	
INCORPORATED, and J.P.	§	
MORGAN SECURITIES LLC,	§	
Successor In Interest to	§	
BEAR STEARNS & CO. INC.,	§	
	§	
	§	

Defendants.

## MERRILL LYNCH, PIERCE, FENNER & SMITH INCORPORATED'S <u>CERTIFICATE OF INTERESTED PERSONS</u>

Pursuant to Federal Rule of Civil Procedure 7.1 and Local Rules 3.1(c), 3.2(e), 7.4, and 81.1(a)(4)(D), the undersigned counsel for Defendant Merrill Lynch, Pierce, Fenner & Smith Incorporated states as follows:

- 1. Merrill Lynch, Pierce, Fenner & Smith Incorporated is a wholly-owned subsidiary of Merrill Lynch & Co., Inc.
- 2. Merrill Lynch & Co., Inc. is a wholly-owned subsidiary of Bank of America Corporation ("BAC"), which owns all of the common stock of Merrill Lynch & Co., Inc.
- 3. BAC is a publicly-held company whose shares are traded on the New York Stock Exchange. It has no parent company, and no publicly-held company owns more than 10% of BAC's shares.

- 4. Plaintiff's Complaint also identifies Merrill Lynch Mortgage Investors, Inc. in connection with the securities at issue. On that basis, Merrill Lynch, Pierce, Fenner & Smith Incorporated includes that entity in its Certificate of Interested Persons.
- 5. The following entities are financially interested in the outcome of the case: Town North Bank, N.A., Schneider & Miller, P.C., Shay Financial Services, Inc., UBS Financial Services, Inc., Morgan Stanley & Co., LLC, J.P. Morgan Securities, LLC, Successor in Interest to Bear Stearns & Co., Inc., and Merrill Lynch & Co., Inc.
  - 6. No other entities are financially interested in the outcome of the case.

Dated: May 18, 2012 Respectfully submitted,

/s/ Noelle M. Reed

Noelle M. Reed

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ATTORNEYS FOR DEFENDANTS MERRILL LYNCH & CO, INC. AND MERRILL LYNCH, PIERCE, FENNER & SMITH INCORPORATED

## **CERTIFICATE OF SERVICE**

I hereby certify that on May 18, 2012, I electronically filed the foregoing document with the Clerk of Court for the U.S. District Court, Northern District of Texas, using the electronic case filing system of the Court. The electronic case filing system sent a "Notice of Electronic Filing" to all attorneys of record who have consented in writing to accept this Notice as service of this document by electronic means. All others were served a copy via U.S. mail postage prepaid.